

COPY OF PAPERS  
ORIGINALLY FILED

Attorney's Docket No.: 07039-322001

#5

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a duly claimed inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled TREATMENT OF OSTEOPOROSIS, the specification of which:

- ☐ is attached hereto.  
☒ was filed on October 5, 2001 as Application Serial No. 09/972,809 and was amended on \_\_\_\_\_.  
☐ was described and claimed in PCT International Application No. \_\_\_\_\_ filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code, §119(e)(1) of any United States provisional application(s) listed below:

| <u>U.S. Serial No.</u>     | <u>Filing Date</u> | <u>Status</u> |
|----------------------------|--------------------|---------------|
| U.S. Serial No. 60/045,607 | May 5, 1997        | Abandoned     |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| <u>U.S. Serial No.</u>     | <u>Filing/Issue Date</u> | <u>Status</u> |
|----------------------------|--------------------------|---------------|
| U.S. Serial No. 09/428,226 | October 27, 1999         | Pending       |
| U.S. Patent No. 5,998,369  | December 7, 1999         | Issued        |

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

| <u>Country</u> | <u>Application No.</u> | <u>Filing Date</u> | <u>Priority Claimed</u> |
|----------------|------------------------|--------------------|-------------------------|
|----------------|------------------------|--------------------|-------------------------|



Combined Declaration and Power of Attorney

Page 2 of 3 Pages

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Mark S. Ellinger, Ph.D., Reg. No. 34,812  
Wayne E. Willenberg, Reg. No. 28,488  
H. Sanders Gwin, Jr., Reg. No. 33,242  
Ronald C. Lundquist, Ph.D., Reg. No. 37,875  
J. Patrick Finn III, Ph.D., Reg. No. 44,109  
Monica McCormick Graham, Ph.D., Reg. No. 42,600  
Arlene Hornilla, Reg. No. 44,776  
Greg H. Gardella, Reg. No. 46,045  
Anton J. Bokal, Ph.D., Reg. No. P-51,243  
William D. Hare, Reg. No. 44,739

Dorothy P. Whelan, Reg. No. 33,814  
Richard J. Anderson, Reg. No. 36,732  
Steven R. Schaefer, Reg. No. 37,927  
John A. Dragseth, Reg. No. 42,497  
M. Angela Parsons, Ph.D., Reg. No. 44,282  
J. Richard Soderberg, Reg. No. 43,352  
Chad A. Hanson, Ph.D., Reg. No. 44,737  
Greg A. McAllister, Reg. No. 47,779  
Ruffin B. Cordell, Reg. No. 33,487

Address all telephone calls to MARK S. ELLINGER, PH.D. at telephone number (612) 335-5070.

Address all correspondence to MARK S. ELLINGER, PH.D. at:

FISH & RICHARDSON P.C., P.A.  
60 South Sixth Street  
Suite 3300  
Minneapolis, MN 55402

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full Name of Inventor: SUNDEEP KHOSLA

Inventor's Signature: S. Khosla  
Residence Address: Rochester, MN  
Citizenship: United States  
Post Office Address: 815 Third Street S.W.  
Rochester, MN 55902

Date: 4/20/02

Full Name of Inventor: CHERYL A. CONOVER


Inventor's Signature: Cheryl A. Conover  
Residence Address: Rochester, MN  
Citizenship: United States  
Post Office Address: 939 - 22nd Avenue S.W.  
Rochester, MN 55902

Date: 2/20/02

**Combined Declaration and Power of Attorney**

Page 3 of 3 Pages

Full Name of Inventor: FRANCIS J. BALLARD

Inventor's Signature: 

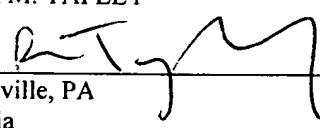
Date: 18 February 2002

Residence Address: Australia

Citizenship: Australia

Post Office Address: 21 Willowbridge Grove  
Burnside, South Australia  
5066 Australia

Full Name of Inventor: PETER M. TAPLEY

Inventor's Signature: 

Date: 28 February 2002

Residence Address: Collegeville, PA

Citizenship: Australia

Post Office Address: 1008 Bayberry Lane  
Collegeville, PA 19426